



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,326	01/23/2002	Howard G. Sachs	021111-000300US	2891

20350 7590 05/31/2005

TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

EXAMINER

MEONSKE, TONIA L

ART UNIT PAPER NUMBER

2183

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/056,326

Applicant(s)

SACHS, HOWARD G.

Examiner

Tonia L. Meonske

Art Unit

2183

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 20-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 22 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 22 recites the limitation "the control circuit" in lines 3 and 4. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 23 is dependent on claim 1, which is a canceled claim. It is unclear which claim Applicant actually intended to have claim 23 depend from. For the purposes of this action, claim 23 is interpreted to be dependent on claim 20.
5. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 20-23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Agrawal et al., US Patent 5,349,670.
8. Referring to claim 20, Agrawal et al. have taught a general purpose state machine comprising:

Art Unit: 2183

- a. a first plurality of external input terminals for receiving information from an external circuit (Figure 7, n external input terminals from element 226);
- b. a first multiplexer having a plurality of input terminals, at least some of which are coupled to the external input terminals (Figure 7, element 224) to receive the information therefrom for causing the first multiplexer to supply a first output signal (Figure 7, elements 228 and 236) indicative of one of a first branch operation, a second branch operation, or no change of operation (Figure 7, columns 13 and 14, The output from element 224 to 228 and 236 indicates that a first branch operation location, a second branch operation location, or sequential location is selected.);
- c. a programmable memory storing a plurality of words, each word having a plurality of bits (Figure 7, element 216), a word from the memory being supplied in response to an address signal from a decoder (Figure 7, A word from memory 216 is supplied to element 230 in response to an address signal 228 from decoder element 224.);
- d. a register coupled to receive the first output signal from the first multiplexer (Figure 7, element 212 and 214) and in response provide a signal to the decoder to thereby cause it to generate the address signal to select one of the words in the programmable memory (Figure 7, element 242, column 14, lines 16-28), the register also providing a second output signal to the first multiplexer to designate no change of operation (Figure 7, Columns 13 and 14, No change of operation is signaled when the counter feedback address signal combination is selected, see Table 7, and also when a sequential location is selected.);

Art Unit: 2183

- e. wherein the word from the memory includes at least three sets of bits, with first bits to designate the first branch operation, second bits to designate the second branch operation (First bits output to element 230 designate that a first branch location was selected and second bits output to element 230 designate that a second branch location was selected.), and third bits to be provided to the external circuit (Figure 7, element 231).
9. Referring to claim 21, Agrawal et al. have taught a general purpose state machine as in claim 20, as described above, and wherein the word from the memory further includes fourth bits to be provided to a control circuit (Figure 7, elements 230 and 231), and the control circuit is connected to the plurality of input terminals of the first multiplexer to cause the first multiplexer to supply the first output signal (Figure 7, The control circuit comprises at least elements 212, 214, 222, 226).
10. Referring to claim 22, Agrawal et al. have taught a general purpose state machine as in claim 20, as described above, and further comprising a second multiplexer having input terminals connected to the external input terminals and to receive at least some of the third set of bits, and connected to provide an output signal to the control circuit (column 12, line 61-column 13, line 4, Figures 2 and 7, elements 72 and 224).
11. Referring to claim 23, Agrawal et al. have taught a general purpose state machine as in claim 1 (interpreted as claim 20) further comprising programmable logic (Figure 7, element 216), flag circuits (A flag is defined as "a signal indicating the existence or status of a particular condition". In Figure 7, the value of element 242 output from element 212 indicates the status of the operation conditions of the multiplexer. So elements 242 and 212 comprise a flag circuit.)

Art Unit: 2183

and counter circuits (Figure 7, element 214) coupled to at least some of the external input terminals and coupled to the second multiplexer to process information from the external circuit before it is provided to the second multiplexer (column 12, line 61-column 13, line 4, Figures 2 and 7, elements 72 and 224, also see columns 13 and 14).

### ***Response to Arguments***

12. Applicant's arguments with respect to claims 20-23 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tonia L. Meonske whose telephone number is (571) 272-4170.

The examiner can normally be reached on Monday-Friday, 8-4:30.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie P. Chan can be reached on (571) 272-4162. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

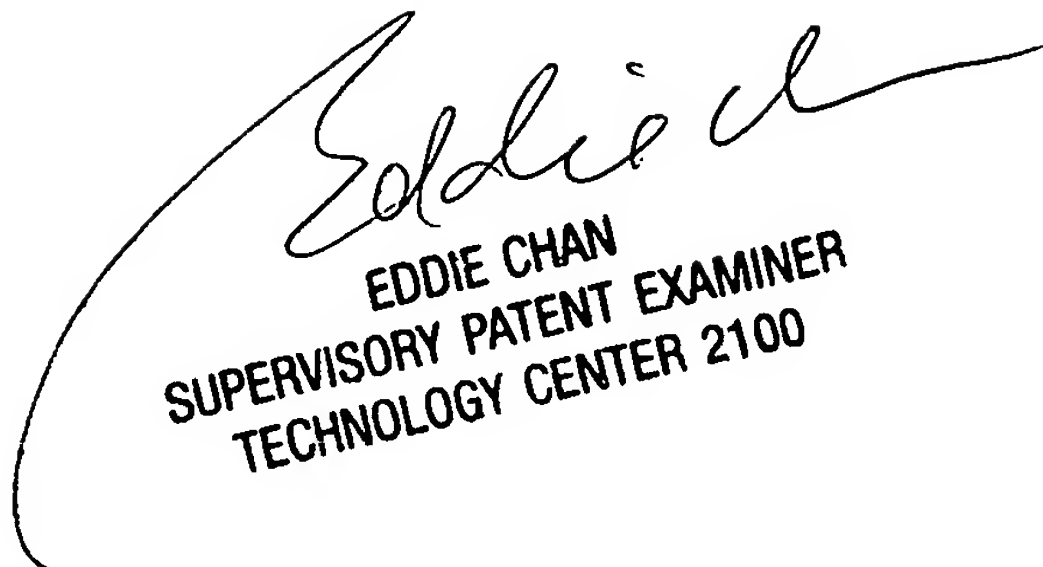
15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tlm

Application/Control Number: 10/056,326

Page 6

Art Unit: 2183

  
EDDIE CHAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100